

SENATE CHAMBER,  
AUSTIN, Texas, Tuesday, June 21, 1870.

Senate met pursuant to adjournment. President Don Campbell presiding. Roll called. Quorum present.

Absent--Senator Clark.

Prayer by the Chaplain. Journal of yesterday read and approved.

Message from the House by Chief Clerk Mr. Boyle.

Senate Bill No. 41, "An Act to confirm the compromise and settlement between the corporation of the city of Galveston, the Houston and Galveston Wharf and Press Company, and the Galveston Wharf Company."

Also, House Bill No. 54, "An Act for the relief of the East Texas Agricultural and Mechanical Association."

Also, House Bill No. 202, "An Act permanently establishing the county seat of Hopkins county."

Also, House Bill No. 163, "An Act to provide for the building of court houses and jails."

Also, Senate Bill No. 5, "An Act authorizing F. A. Vaughan, William Safford and George S. Smith, of Guadalupe county, to construct and build a bridge across the Guadalupe river, near the town of Seguin."

Also, Bill No. 132, "An Act to amend 'An Act to incorporate the Fire Association of the city of San Antonio.'"

Also, House Bill No. 255, "An Act to authorize the Governor to procure from the archives of the old Spanish missions the history of this State prior to 1793, and to make appropriation for the same."

Also, House Bill No. 264, "An Act to incorporate Trinity University, located at Tehuacana Hills, Limestone county, Texas."

## REPORTS.

Report of Committee on Enrollment:

COMMITTEE ROOM,  
June 18, 1870.

Hon. DON CAMPBELL,

President of the Senate:

Your Committee on Enrollment have examined and find correctly enrolled Senate Bill No. 81, entitled "An Act to legalize an ordinance adopted by the Convention on the twelfth day of December,

1868, authorizing a special tax to be levied for the Waco Tap Railroad Company in Falls and McLennan counties," and Senate Bill No. 56, entitled "A bill to be entitled an act to prevent cessation of judicial functions, and to avoid doubts of the validity of judgments and other regular proceedings of the supreme, criminal or district judges and courts," and to-day, at 2:30 P. M., presented them to the Governor for his approval.

B. J. PRIDGEN,  
Chairman.

### BILLS.

By Senator Ruby, "An Act to incorporate the city of Galveston—to grant a new charter to said city, and to repeal all acts heretofore past incorporating said city which may be in force by any existing charter.

Read first time and referred to Committee on Judiciary.

By Senator Hall, "An Act to incorporate the town of Bremond.  
Read first time and referred to Committee on Judiciary.

### UNFINISHED BUSINESS.

The discussion upon the amendment of Senator Flanagan was resumed.

Pending discussion Senator Flanagan moved an adjournment.

Yeas and nays demanded and resulted as follows:

Yeas—Alford, Bowers, Broughton, Dohoney, Douglas, Evans, Flanagan, Latimer, Pettit, Picket, Shannon—11.

Nays—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Priest, Rawson, Ruby, Saylor—13.

Lost.

Senator Parsons moved a call of the Senate.

Call sustained.

Absent.—Senators Clark, Cole, Pyle.

On further motion call suspended.

Senator Ruby moved that Senator Flanagan close the argument and the vote be taken on the pending amendment.

Senator Bowers rose to a point of order.

The Chair sustained the point of order and decided that no motion could be entertained except to adjourn, or call of the Senate.

Senator Bowers then moved a call of the Senate.

Call sustained.

Senator Bowers moved suspension of the call.

Call suspended.

Senator Mills moved to adjourn.

Yeas—Alford, Bowers, Broughton, Dohoney, Douglas, Evans, Flanagan, Latimer, Mills, Picket, Pridgen, Shannon—12.

Nays—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—13.

So the Senate refused to adjourn.

Senator Bowers renewed the call.

Call sustained.

Absent—Clark, Cole and Pyle.

On further motion, the call suspended.

Senator Flanagan moved to adjourn.

Yeas—Alford, Bowers, Broughton, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Pickett, Pridgen, Pyle, Shannon—13.

Nays—Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—14.

So the Senate refused to adjourn.

The yeas and nays were called on the adoption of the amendment offered by Senator Flanagan. Those who voted in the affirmative were:

Alford, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Pickett, Pridgen, Pyle, Shannon—14.

Those who voted in the negative were:

Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—15.

Senator Fountain moved the previous question. Previous question seconded.

Senator Ruby moved a call of the Senate. Call sustained.

Present—Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Pridgen, Rawson, Ruby, Saylor.

Absent—Alford, Bowers, Broughton, Clark, Cole, Dohoney, Douglas, Evans, Flanagan, Latimer, Picket, Pyle, Shannon.

Senator Fountain moved that the Sergeant-at-Arms be instructed to bring in the absent Senators.

The Chair ordered the Sergeant-at-Arms to bring the absent Senators into the Senate Chamber.

Absentees appeared.

The President gave notice to those who had absented themselves that they were under arrest. Messrs. Evans, Shannon, Dohoney and Alford were excused.

Previous question ordered and carried.

The question then recurred upon the main question, and the President then put the question, "Shall the Bill be engrossed and passed to its third reading?"

Those who voted in the affirmative were—

Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—15.

Those who voted in the negative were—

Alford, Dohoney, Evans, Pridgen, Shannon—5.

Under arrest and not allowed to vote—

Bowers, Broughton, Clark, Cole, Douglas, Flanagan, Latimer, Pickett, Pyle—9.

Bill passed to engrossment.

Senator Baker moved a suspension of rules to place the bill on its third reading and final passage.

Those who voted in the affirmative were :

Mr. President, Baker, Bell, Ford, Fountain, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Priest, Rawson, Ruby, Saylor—15.

Those who voted in the negative were :

Alford, Dohoney, Evans, Pridgen, Shannon—5.

So the Senate refused to suspend the rules, four-fifths not voting in the affirmative.

On motion of Senator Saylor, the Senate adjourned.